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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/817,482	04/02/2004	Hiroshi Kobayashi	B-5409 621803-3	6130
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LADAS & PARRY Suite #2100 5670 Wilshire Boulevard Los Angeles, CA 90036-5679				
			EXAMINER CHOWDHURY, AFROZA Y	
			ART UNIT 2629	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Office Action Summary	Application No. 10/817,482	Applicant(s) KOBAYASHI, HIROSHI	
	Examiner Afroza Y. Chowdhury	Art Unit 2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 July 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's amendment received on **July 24, 2007** has been entered. Claims 1-11 are now pending. Applicant's newly added claims and arguments are addressed herein below.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1 and 5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1 (line 8) and claim 5 (line 8) **"realized on said display screen"** is not clear. What does "realized means? What does it realize?

Regarding claim 1 (lines 5-11), **"a control device.....control member and/or display member completely or partially hidden.....display apparatus"** is not clear. How one can press and able to display information on a display member when it is hidden?

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1 and 6-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Hirano** (US Patent 6,570,628).

As to claims 1 and 9-11, Hirano discloses an information display apparatus comprising:

a display screen (fig. 1(6a), col. 3, lines 59-67);

a movable panel member (fig. 2-4(3));

a moving process/ moving control for performing movement control of said panel member (col. 4, lines 1-5); and

functions of a control member (fig. 2-4(8), col. 3, lines 52-58) and /or display member (fig. 3(3a)) that is completely or partially hidden due to movement of said movable panel member (fig. 3(3)) are realized on the display screen (col. 4, lines 1-15),

wherein said control member is a control button (fig. 2-4(8)) to be pressed by the user (col. 3, lines 52-58), and

said display member (fig. 3(3a)) displays an operation of the information display apparatus (col. 4, lines 5-15) (as best understood).

Hirano does not specifically teach a control device which controls such that the functions of a control member and /or display member that is completely or partially hidden due to movement of said movable panel member are realized on the display screen.

However, it would have been obvious to one skill in the art to recognize that the display apparatus of Hirano has to have a control device that controls such that the functions of a control member and /or display member that is completely or partially hidden due to movement of movable panel member are in order to be realized on the display screen for easy control of a information display apparatus.

As to claim 6, Hirano teaches an information display apparatus comprising: a movement-control device that controls the movement of the panel member (col. 3, lines 52-58).

As to claim 7, Hirano teaches an information display apparatus where the panel member is a storage-type panel member (fig. 3(3)).

As to claim 8, Hirano teaches an information display apparatus wherein the panel member is a rotation-type panel member (figs. 2-4).

6. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Hirano** (US Patent 6,570,628) in view of **Son et al.** (US Pub. 2004/0164974).

As to claim 3, Hirano discloses a display device that has a display screen (fig. 1(6a), col. 3, lines 59-67) and a display member (fig. 3(3a)) displays an operation of the information display apparatus (col. 4, lines 5-15).

Hirano does not specifically teach a control device that is used to drive the display screen.

However, it would have been obvious to one skill in the art to recognize that the display apparatus of Hirano has to have a control device that controls the display screen.

Hirano also does not explicitly teach an information display apparatus where a control device displays an image on a display screen that changes the surface dimensions of the control member and the display member.

Son et al. teaches a display device where the dimension of the displayed image can be controlled (pages 4-5, [0076]).

Therefore, it would be obvious to combine the display device of Son et al. with Hirano's display device to make an information display apparatus in order to attain different surface dimensions of images on a display screen to be different depending on the function of the device, such as navigation or audio-visual apparatus for a vehicle.

7. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Hirano** (US Patent 6,570,628) in view of **Morimoto et al.** (US Pat. 5,757,359).

As to claim 2, Hirano discloses a display device that has a display screen for accommodating a display panel to serve information for navigation process and various items of information in a vehicle (col. 4, lines 1-15).

Hirano does not teach a display screen that gives image with an appearance identical to or that resembles the appearance of the control member or display member.

Morimoto et al. teaches an information display system where input keys appear on the screen and the user can control various functions by touching the key switches (fig. 2(a)-(d), fig. 33, col. 5, lines 32-38).

Therefore, it would have been obvious to one skill in the art at the time of the invention was made to combine the touch panel of the information display system of Morimoto et al. with Hirano's display device to make an information display apparatus for displaying an audio-visual apparatus for a vehicle in order to allow a user to operate entertainment or navigation system by touch control panel.

8. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Hirano** (US Patent 6,570,628) in view of **Watanabe et al.** (US Pat. 6,373,213).

As to claim 4, Hirano discloses a display device that has a display screen for accommodating functions of a control member (fig. 2-4(8), col. 3, lines 52-58) and a display member (fig. 3(3a), (col. 4, lines 1-15).

Hirano does not teach a position-detection device that detects the position of a panel member.

Watanabe et al. teaches a position-detection device (encoder, col. 8, lines 41-47) that detects the position of a panel member (fig. 1A (D)); and wherein

a control device (microcomputer, col. 7, line 66 – col. 8, line 1) controls such that the functions of a display member (fig. 1A(G), col. 8, lines 4-13) is displayed on the display screen (fig. 1A(G), 1B, and 7A) according to a detected position (fig. 1A).

Therefore, it would have been obvious to one skill in the art at the time of the invention was made to combine the display apparatus of Watanabe et al. with Hirano's display device to make an information display apparatus such that the functions of a control member and a display member are displayed on a display screen.

9. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Hirano** (US Patent 6,570,628) in view of **Ogawa et al.** (US Patent 6,628,245).

As to claim 5, Hirano discloses a display device that has a display screen for accommodating a display panel to serve information for navigation process and various items of information in a vehicle (col. 4, lines 1-15).

Hirano does not teach a switch-display-instruction-receiving device.

Ogawa et al. discloses a switch device that displays a function of a switch presently selected by a user on a switch operating section (col. 1, lines 46-53, fig. 10, 12-14, 16-19) (as best understood).

Therefore, it would be obvious to combine the switch device of Ogawa et al. with Hirano's display device to make an information display apparatus in order to switch

between information displayed to have more functionality and easily access to select information.

Response to Arguments

10. Applicant's arguments with respect to claims 1-11 have been considered but are moot in view of the new ground(s) of rejection.

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Conclusion


12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Afroza Y. Chowdhury whose telephone number is 571-270-1543. The examiner can normally be reached on 7:30-5:00 EST, 5/4/9.

Art Unit: 2629

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala can be reached on 571-272-7681. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AC
2/5/2008



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